

महाराष्ट्र प्रादेशिक नियोजन व नगर रचना अधिनियम, १९६६  
कलम ३७(२) अन्वये विकास नियंत्रण नियमावलीत  
करावयाच्या फेरबदलाबाबतची अधिसूचना.

महाराष्ट्र शासन,  
नगर विकास विभाग,  
शासन निर्णय क्रमांक: टिपीबी-४३०८/७७६/प्र.क्र.१२७/२००८/नवि-११  
मंत्रालय, मुंबई : ४०० ०३२, दिनांक : ३ ऑक्टोबर, २००८.

शासन निर्णय:- सोबतची अधिसूचना राज्य शासनाच्या असाधारण राजपत्रात प्रसिध्द करण्यात यावी.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नांबाने,

( सुधाकर नांगनुरे )

उप सचिव, महाराष्ट्र शासन.

प्रति,

महापालिका आयुक्त, बृहन्मुंबई महानगरपालिका, मुंबई.

महानगर आयुक्त, मुंबई महानगर प्रदेश विकास प्राधिकरण, वांद्रे-कुर्ला संकुल, वांद्रे (पूर्व), मुंबई-५१.

मुख्य कार्यकारी अधिकारी, झोपडपट्टी पुनर्वसन प्राधिकरण, गृहनिर्माण भवन, वांद्रे (पूर्व), मुंबई-५१.

मुख्य अधिकारी, मुंबई गृहनिर्माण व क्षेत्र विकास मंडळ, गृहनिर्माण भवन, वांद्रे (पूर्व), मुंबई-५१.

संचालक, नगर रचना, महाराष्ट्र राज्य, पुणे.

उपसंचालक, नगर रचना, बृहन्मुंबई, मुंबई.

व्यवस्थापक, शासकीय मध्यवर्ती मुद्रणालय, चर्नीरोड, मुंबई.

(त्यांना विनंती करण्यात येते की, सोबतची अधिसूचना महाराष्ट्र शासनाचे असाधारण राजपत्रात भाग-१ मध्ये प्रसिध्द करण्यात येवून त्याच्या प्रत्येकी ३५ प्रती नगर विकास विभाग, (नवि-११), मंत्रालय, मुंबई-३२ व उप संचालक, नगर रचना, बृहन्मुंबई, मुंबई यांना पाठविण्यांत याव्यात.)

कक्ष अधिकारी (संगणक कक्ष) (नवि-२९), नगर विकास विभाग, मंत्रालय, मुंबई ४०० ०३२.

(त्यांना विनंती करण्यात येते की, सोबतची अधिसूचना विभागाच्या वेबसाईटवर प्रदर्शित करण्याबाबत आवश्यक ती कार्यवाही करावी)

निवडनस्ती (नवि-११).

सेक्शन ३७ फाईल.

**Maharashtra Regional and  
Town Planning Act, 1966.**

**Modification to Regulation  
32 of Development Control  
Regulations for Gr. Mumbai,  
1991 under section 37(2)...**

**GOVERNMENT OF MAHARASHTRA**

**Urban Development Department,**

**Mantralaya, Mumbai 400 032.**

**Dated 3<sup>rd</sup> October, 2008.**

**NOTIFICATION**

**No. TPB-4308/776/CR-127/2008/UD-11:**

Whereas, the Development Control Regulations of Greater Mumbai, 1991 (hereinafter referred to as "the said Regulations") have been sanctioned by the Government vide Urban Development Department Notification No. DCR 1090/RDP/UD-11 dated 20<sup>th</sup> February, 1991, under section 31(1) of Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said Act") to come into force with effect from 25/3/1991;

And whereas, as per Regulation No.32, Table No.14, (1)(B) (iii) & (2)(B) for the area in suburbs and extended suburbs of Gr. Mumbai including gaothan and excluding the area mentioned in Table No.14,(1)(B)(i) & (ii), the permissible floor space indices in Residential and Commercial Zone is 1.00.

And whereas, as per the provision of Appendix VII A under regulation 34 of the said Regulations, the FSI of receiving plot shall be allowed to be exceeded by not more than 0.8 earned either by way of DR in respect of reserved plots or by way of land surrendered for road widening or construction of new road. Also as per the provisions of Appendix VII B, in respect of regulation No. 33(10) & 33(14), TDR receiving plot shall be eligible for not more than 100% additional FSI in whichever combination TDR's are received provided at least 20% of FSI shall be mandatorily kept for use of TDR generated as surplus from Slum Rehabilitation Scheme;

And whereas, as per the provisions of Regulation 33 of the said Regulations, additional Floor Space Index may be allowed in certain categories like Educational, Medical, Institutional, Star category Residential hotels etc.

And whereas, in Budget Session of 2008, Hon'ble Finance Minister in the Budget Speech has announced the Governments intention to increase the permissible FSI in suburban area of Gr. Mumbai from 1.00 to 1.33, subject to payment of premium;

And whereas, in exercise of the powers vested under section 37(1) of the said Act read with provision contained in section 154 of the said Act Government vide order of even No. dated 10/4/08 issued direction to the Municipal Corporation of Greater Mumbai (hereinafter referred to as "the said Corporation") to initiate modification in Regulation No. 32 of the said regulation and pending sanction to these modification by Govt. under section 37(2) of said Act, the said modification was brought into effect from the date of order;

And whereas, the Govt. vide order of even No. dated 12/5/08 had given clarification on certain points in the said directives to the said Corporation and Govt. vide letter of even No. dated 5/6/08 has informed the said Corporation to include in the said modification, the rules regarding the levy of premium for condonation of deficiency at the rate of 10% of normal premium, as levied for TDR generated from SRA Schemes;

And whereas, the said Corporation has failed to publish a notice regarding the said modification in the official gazette within a period of 90 days from the date of said directives as stipulated under section 37 of the said Act;

And whereas, by considering the clarification and the letter issued to the said Corporation and by considering other points, Govt. has proposed modification in Development Control Rule No. 32 of the said regulations (hereinafter referred to as "the said modifications") and issued notice u/s 37(1A) of the said Act on 11<sup>th</sup> July, 2008 and appointed the officer (hereinafter referred to as "the said Officer") u/s 162 of the said Act to submit the report to Govt. on received suggestions/objections;

And whereas, the said notice u/s 37(1A) was published in Govt. Gazette dated 17<sup>th</sup> July, 2008 and daily newspaper 'Asian Age' dated 25/7/2008. Total 25 suggestions / objections were received;

And whereas, the said officer, after giving hearing to all suggestions/objections had submitted the report through the Director of Town Planning, Pune to Govt. on 12/9/2008. Also the Director of Town Planning has since submitted his report to Govt;

And whereas, after considering the report of the said officer and Director of Town Planning, Maharashtra State, Pune, Govt. finds it necessary to sanction the said modification proposal with some changes;

Now, therefore, in exercise of the powers vested in it under section 37(2) of the said Act, the Government hereby sanctions the said modification proposal with some changes as described in the schedule given below:

**SCHEDULE**

**SANCTIONED MODIFICATION**

Rule No. 32, Table No 14, (1)(B)(iii)			
Provision	FSI	Tenement Max.	Density Min.
The remaining area in suburbs & extended suburbs including gaathan.	1.00	450	200
Provided that FSI may be permitted to exceed upto 1.33 subject to following conditions:-			
1) Additional 0.33 FSI is optional and non-transferable. It is to be granted as on application and to be used on the same plot.			
2) The total maximum permissible FSI, with 1.33 FSI, Road FSI and TDR shall be restricted to 2.00.			
3) As per concept of TDR, additional FSI shall be permissible on gross plot area.			
4) Additional FSI available as per Regulation 33, shall be related to basic FSI of 1.00 only.			
5) Premium shall be charged for additional 0.33 FSI, as per the rates mentioned in Annexure. However, the Govt. may revise these rates from time to time.			
6) Premium shall be shared between the State Govt. and MCGM on 50:50 basis. The MCGM shall utilise the premium through Escrow Account for implementation of Development Plan and infrastructure. However, Govt. shall have right to change this ratio, depending upon the need for providing funds from Govt. for infrastructure projects in Mumbai.			
7) In Mumbai Suburban District, construction upto 1.00 additional FSI is permissible through use of TDR. 0.33 FSI being optional and part of overall ceiling of use of 1.00 TDR, any disclosure made for use of TDR / FSI, while making agreements with purchasers under MOFA Act, shall be held valid for use of 0.33 FSI.			
8) No vertical extension of existing building by utilising 0.33 FSI shall be permitted with erection of columns in the required marginal open space.			

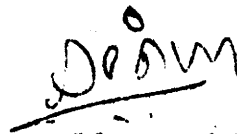
- 9) Tenement density shall be relatively increased as per the increase in FSI above 1.00.
- 10) 0.33 additional FSI shall not be permitted in Bandra-Kurla Complex, SRA Schemes under Regulation 33(10), CRZ areas and the matters which are subjudice.
- 11) As per the provisions of Appendix VIIB under DCR 33(10) and 33(14), the extent of slum TDR shall be at least 20% of total permissible additional FSI (in any combination of additional FSI and TDR).
- 12) The relaxation of premium i.e. 10% of normal premium shall be charged while condoning deficiencies in open spaces (as applicable for use of slum TDR).
- 13) Additional 0.33 FSI shall not be applicable for industrial user.

### Annexure

#### Premium rates for additional 0.33 FSI.

Sr. No.	Land rates/sq.mt. as per Ready Reckoner 2008.	Illustrative list of area covered under these rates (Not all the areas).	Proposed premium rates/sq.mt.
1	Upto Rs.7000/- sq.mt.	Manori, Gorai, Turbhe, Mankhurd.	70% of land rate.
2	Rs.7001-10000/- sq.mt.	Madh, Aarey, Dindoshi(pt), Erangal, Akse, Marve, Mahul, Chembur(pt), Deonar.	Rs.4900/- + 30% of R/R rates exceeding Rs.7000/- sq.mt.
3	Rs.10001-15000/- sq.mt.	Gorai(pt), Pahadi, Eksar(pt), Malad, Malwani(pt), Kurar(pt), Borivali(pt), Dahisar (pt), Anik(pt), Ghatkopar(pt).	Rs.5800/- + 30% of R/R rates exceeding Rs.10000/- sq.mt.
4	Rs.15001-20000/- sq.mt.	Chakala(pt), Vileparle(pt), Kandivali(pt), Oshiwara(pt), kurla (pt), Mulund (E)(pt)	Rs.7300/- + 30% of R/R rates exceeding Rs.15000/- sq.mt.

5	Rs.20001-25000/- sq.mt.	Bandra (E), (pt)	Rs.8800/- + 30% of R/R rates exceeding Rs.20000/- sq.mt.
5	Rs.25001-35000/- sq.mt.	Bandra (E)(pt)	Rs.10300/- + 30% of R/R rates exceeding Rs.25000/- sq.mt.
6	Rs.35001-50000/- sq.mt.	Bandra (E)(pt)	Rs.13300/- + 20% of R/R rates exceeding Rs.35000/- sq.mt.
7	Rs.50001-70000/- sq.mt.	Bandra (E)(pt)	Rs.16300/- + 20% of R/R rates exceeding Rs.50000/- sq.mt.
8	Rs.70001-100000/- sq.mt.	Bandra (E)(pt)	Rs.20300/- + 10% of R/R rates exceeding Rs.70000/- sq.mt.
9	Above Rs.100000/- sq.mt.	Bandra (E)(pt)	Rs.23300/- + 10% of R/R rates exceeding Rs.100000/- sq.mt.



(Abhiraj Girkar)

Under Secretary to Government.